

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

ELIZABETH REYES ROMERO and,
ROLANDO VAZQUEZ DIAZ,

6:18-cv-01184-MK
OPINION AND ORDER

Plaintiffs,

v.

MICHAEL R. POMPEO, Secretary of
State, U.S. Department of State, CARL
RISCH, Assistant Secretary for Consular
Affairs, U.S. Department of State,
DARIA L. DARNELL, Consul General of
the Consulate General of the United States
of America, Ciudad Juarez, JANE DOE, U.S.
Consular Officer, Consulate General of the
United States of America, Ciudad Juarez,

Defendants.

AIKEN, District Judge:


Magistrate Judge Mustafa Kasubhai has filed his Findings and Recommendation ("F&R") (doc. 28) recommending that the Court GRANT defendants' Motion to Dismiss (doc. 23) and DISMISS this case with prejudice. This case is now before me. *See* 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

No objections have been timely filed. Although this relieves me of my obligation to perform a *de novo* review, I retain the obligation to “make an informed, final decision.” *Britt v. Simi Valley Unified Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983), *overruled on other grounds*, *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121–22 (9th Cir. 2003) (en banc). The Magistrates Act does not specify a standard of review in cases where no objections are filed. *Ray v. Astrue*, 2012 WL 1598239, *1 (D. Or. May 7, 2012). Following the recommendation of the Rules Advisory Committee, I review the F&R for “clear error on the face of the record[.]” Fed. R. Civ. P. 72 advisory committee’s note (1983) (citing *Campbell v. United States District Court*, 501 F.2d 196, 206 (9th Cir. 1974)); *see also United States v. Vonn*, 535 U.S. 55, 64 n.6 (2002) (stating that, “[i]n the absence of a clear legislative mandate, the Advisory Committee Notes provide a reliable source of insight into the meaning of” a federal rule). Having reviewed the file of this case and Magistrate Judge Clarke’s order, I find no clear error.

Thus, I adopt Magistrate Judge Kasubhai’s F&R (doc. 28) in its entirety. Defendants’ Motion to Dismiss (doc. 23) is GRANTED. Accordingly, this action is DISMISSED, with prejudice.

IT IS SO ORDERED.

Dated this 24th day of January, 2020.



Ann Aiken
United States District Judge